

Serial No. **10/575,856**

Docket No. **HI-0274**

Amdt. dated August 12, 2008

Reply to Office Action of May 14, 2008

### **REMARKS/ARGUMENTS**

Claims 1, 3-17, and 22-30 are pending. By this Amendment, claims 1 and 3-14 are amended, claims 2 and 18-21 are canceled without prejudice or disclaimer, and claims 22-30 are added. No new matter is added. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action does not reject claim 14 over prior art. Thus, it is assumed for the purpose of this Reply that claim 14 contains allowable subject matter.

The Office Action rejected claims 7 and 8 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Claims 7-8 have been amended to address the Examiner's comments. Further, the Examiner is referred to Fig. 4 which shows exhaust passage holes 450 which incline downwardly toward the outside of the microwave oven (or incline upwardly toward the inside). Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 1-21 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. The claims have been amended to address the Examiner's comments. Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 1, 3, 6, 13, 16, and 18-20 under 35 U.S.C. §102(b) as being anticipated by Lee, U.S. Patent No. 5,798,505. Claims 18-20 have been canceled. The rejection is respectfully traversed in so far as it applies to the pending claims.

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Independent claim 1 has been amended to recite, *inter alia*, wherein at least one of the suction hole or the exhaust hole is formed at an interval portion between a bottom plate of the cavity and a plate on which the food is loaded, and wherein air sucked through the suction hole or exhausted through the exhaust hole flows below the food loaded on the plate. Independent claim 13 has been amended to recite, *inter alia*, wherein air sucked through the suction hole and exhausted through the exhaust hole flows below the food loaded on the plate. Lee does not disclose or suggest such features, or the respective claimed combinations of independent claims 1 and 13.

Accordingly, the rejection of independent claims 1 and 13 over Lee should be withdrawn. Dependent claims 3, 6, and 16 are allowable over Lee at least for the reasons discussed above with respect to independent claims 1 and 13, from which they respectively depend, as well as for their added features.

The Office Action rejected claims 2 and 12 under 35 U.S.C. §103(a) as being obvious over Lee, in view of Ikeda, JP 62-297634. Claim 2 has been canceled. The rejection is respectfully traversed with respect to claim 12.

Dependent claim 12 is allowable over Lee at least for the reasons discussed above with respect to independent claim 1, from which it depends, as well as for its added features. Ikeda fails to overcome the deficiencies of Lee, as it is merely cited for allegedly teaching the location of the suction hole and the exhaust hole. Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 2, and 11-12 under 35 U.S.C. §103(a) over Lee, in view of Almgren et al. (hereinafter “Almgren”), U.S. Patent No. 4,424,430. Claim 2 has been canceled. The rejection is respectfully traversed with respect to claims 11-12.

Dependent claims 11-12 are allowable over Lee at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

Almgren fails to overcome the deficiencies of Lee, as it is merely cited for allegedly teaching the use of a mode stirrer between suction holes and exhaust holes. Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 4-5, 7-8, 10, 15, and 21 under 35 U.S.C. §103(a) as being obvious over Lee, in view of Lee, CN 1230663 (hereinafter “CN ‘663”). Claim 21 has been canceled. The rejection is respectfully traversed, in so far as it applies to the pending claims.

Dependent claims 4-5, 7-8, 10, and 15 are allowable over Lee at least for the reasons discussed above with respect to independent claims 1 and 13, from which they respectively depend, as well as for their added features. CN ‘663 fails to overcome the deficiencies of Lee, as it is merely cited for allegedly teaching an exhaust guide having two portions different in width. Accordingly, this rejection should be withdrawn.

The Office Action rejected claims 9 and 17 under 35 U.S.C. §103(a) as being obvious over Lee, in view of Frimmel, CN 1085321. The rejection is respectfully traversed.

Dependent claims 9 and 17 are allowable over Lee at least for the reason discussed above with respect to independent claims 1 and 13, from which they respectively depend, as well as for their added features. Frimmel fails to overcome the deficiencies of Lee, as it is merely cited for allegedly teaching an air flow passage having a water permeation preventing portion. Accordingly, this rejection should be withdrawn.

Added claims 22-30 also define over the applied prior art. In particular, none of the applied prior art discloses or suggests an exhaust guide comprising a first portion, a width of which is narrow such that the air exhausted through the at least one exhaust hole is first concentrated, and a second portion, a width of which is wider than that of the first portion such that the air is exhausted to the outside through the at least one exhaust passage hole formed in the back plate, as recited in independent claim 22. Added dependent claims 23-30 are allowable over the applied prior art in view of their dependency on independent claim 22, as well as for their added features.

### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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